

COREY B. BECK, ESQ.
Nevada Bar No. 005870
425 South 6th Street
Las Vegas, Nevada 89101
Phone:(702) 678-1999
Fax:(702) 678-6788
www.becksbk@yahoo.com

Attorney for Debtors

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:)	
)	BK-S-10-30390-MKN
CESAR ESTRADA)	Chapter 7
JAQUELINE ESTRADA)	Trustee: James F. Lisowski, Sr.
)	
)	HEARING DATE: 12/21/2011
Debtors.)	HEARING TIME: 2:30 p.m.
)	
)	

MOTION TO COMPEL ABANDONMENT OF REAL PROPERTY PURSUANT TO
11 U.S.C. §554

COME NOW, Debtors, CESAR ESTRADA & JAQUELINE ESTRADA, by through their attorney of record, Corey B. Beck, Esq., hereby Motion this Court to obtain an Order to Compel Abandonment of Real Property Pursuant to 11 U.S.C. §554 as follows:

1. Debtors through undersigned counsel are seeking an Order to Abandon Real Property located at 6463 Mahogany Peak Ave. Las Vegas, NV 89110, so that the "short sale" can be effectuated.

LEGAL ARGUMENT

§554. Abandonment of property of the estate.

- b. On request of a party in interest and after notice and a hearing, the court may order the trustee to abandon any property of the estate that is burdensome to the estate or that is of inconsequential value and benefit to the estate.

In the case-at-bar, the 6463 Mahogany Peak Ave. Las Vegas, NV 89110 property is being sold for less than is owed. Schedule D of Debtor's Petition evidences that debtor owes

1 \$419,868.00 (First Mortgage) and \$42,248.16 (Second Mortgage) to Bank of America Home
2 Loans. Attached hereto as Exhibit "1" is a true and correct copy of the Residential Purchase
3 Agreement that was issued by Elite Realty on or about August 31, 2011. According to this
4 Statement, the Purchasers have agreed to purchase the Property for \$134,100.00. Debtor will not
5 be receiving any proceeds from this sale.

6 Therefore, Debtor is requesting abandonment of property as it literally has no value.
7 Thus, under §554 (b), abandonment is proper as this property "is of inconsequential value and
8 benefit to estate".

9 **WHEREFORE, DEBTOR,** prays for relief as follows;

- 10 1. For an Order Compelling Abandonment of 6463 Mahogany Peak Ave. Las Vegas,
11 NV 89110 pursuant to 11 U.S.C. §554 (b).

12 Dated this 16th day of November, 2011.

13
14 /s/ COREY B. BECK

15 _____
16 COREY B. BECK, ESQ.
17 Nevada Bar No. 005870
18 425 South 6th Street
19 Las Vegas, Nevada 89101
20 (702) 678-1999

21 Attorney for Debtors
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